

88TH CONGRESS  
1ST SESSION

# H. R. 9035

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 1963

Mr. BROWN of California introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

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## A BILL

To amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by United States amateurs on a reciprocal basis.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That subsection (1) of section 303 of the Communications
- 4 Act of 1934 (47 U.S.C. 303) is amended—

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1           (1) by inserting "(1)" immediately after "(1)";  
2           and

3           (2) by adding at the end of such subsection the  
4           following: "(2) Notwithstanding section 301 of this  
5           Act and paragraph (1) of this subsection, the Com-  
6           mission may issue authorizations, under such con-  
7           ditions and terms as it may prescribe, to permit  
8           an alien licensed by his government as an amateur radio  
9           operator to operate his amateur radio station licensed by  
10          his government in the United States, its possessions,  
11          and the Commonwealth of Puerto Rico provided there  
12          is in effect a bilateral agreement between the United  
13          States and the alien's government for such operation on  
14          a reciprocal basis by United States amateur radio opera-  
15          tors: *Provided, That* when an application for an author-  
16          ization is received by the Commission, it shall notify the  
17          appropriate agencies of the Government of such fact, and  
18          such agencies shall forthwith furnish to the Commission  
19          such information in their possession as bears upon the  
20          compatibility of the request with the national security:  
21          *And provided further, That* the requested authorization  
22          may then be granted unless the Commission shall deter-  
23          mine that information received from such agencies neces-  
24          sitates denial of the request. Other provisions of this  
25          Act and of the Administrative Procedure Act shall not

**3**

1       be applicable to any request or application for or modifi-  
2       cation, suspension, or cancellation of any such author-  
3       ization.”

4       SEC. 2. Subsection (a) of section 310 of the Communi-  
5       cations Act of 1934 is amended by adding at the end thereof  
6       the following: “Notwithstanding section 301 of this Act and  
7       paragraphs (1) and (2) of this subsection, the Commission  
8       may issue authorizations, under such conditions and terms  
9       as it may prescribe, to permit an alien licensed by his gov-  
10      ernment as an amateur radio operator to operate his amateur  
11      radio station licensed by his government in the United  
12      States, its possessions, and the Commonwealth of Puerto  
13      Rico provided there is in effect a bilateral agreement be-  
14      tween the United States and the alien’s government for such  
15      operation on a reciprocal basis by United States amateur  
16      radio operators: *Provided*, That when an application for  
17      an authorization is received by the Commission, it shall  
18      notify the appropriate agencies of the Government of such  
19      fact, and such agencies shall forthwith furnish to the Com-  
20      mission such information in their possession as bears upon  
21      the compatibility of the request with the national security:  
22      *And provided further*, That the requested authorization may  
23      then be granted unless the Commission shall determine that  
24      information received from such agencies necessitates de-  
25      nial of the request. Other provisions of this Act and of the

**4**

- 1 Administrative Procedure Act shall not be applicable to any
- 2 request or application for or modification, suspension, or
- 3 cancellation of any such authorization.”

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By Mr. Brown of California

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